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U.S. REOPENS PAYMENT INQUIRY

'DID NOT TELL TRUTH'

Official Asserts Billy Carter Misled Him About Date He Received Check

By ROBERT PEAR

Special to The New York Times

WASHINGTON, July 30 — Justice Department officials said today that they were opening another investigation of Billy Carter after obtaining new evidence suggesting that the President's brother had not told Federal agents the truth about the payments he had received from Libya.

Joel S. Lisker, chief of the foreign agents registration unit in the department, said that on Monday he obtained bank records showing that Billy Carter deposited a \$20,000 check from the Libyans in his bank account last December. Mr. Lisker said that Billy Carter failed to disclose the payment from the Libyans on Jan. 16, when, in an interview, Mr. Lisker asked him, "Did they give you any money?"

Classified Cables in Question

"It's fairly obvious that he misled me, that he lied," Mr. Lisker said of the President's brother. "It calls into question the veracity of his entire registration statements."

Mr. Lisker said that he would also investigate whether the President had given Billy Carter copies of classified State Department or Central Intelligence Agency cables. In the interview, Mr. Lisker said, Billy Carter asserted that he had agency cables and that "Jimmy gave them to me."

"We are trying to find out if Billy got this information and who gave it to him," Mr. Lisker said. "This could open a whole other avenue as to his contacts with the Administration."

'Did Not Tell the Truth'

According to Mr. Lisker, Billy Carter reported in another interview on June 11 that he had received the \$20,000 in March this year. He described the sum then as reimbursement for part of \$40,000 in expenses that he had incurred as the host for a delegation of Libyan officials and businessmen visiting the United States. When he registered with the Justice Department as a foreign agent for Libya on July 14, Billy Carter said that the \$20,000 was the first installment of a \$500,000 loan for which there was no written agreement.

"There is ample evidence to demonstrate that in two separate interviews, Billy Carter did not tell the truth," Mr. Lisker said.

Billy Carter was not available for comment, but one of his attorneys, Stephen J. Pollak, said that he would have no immediate comment on the assertion that his client had lied. "That's the first I've heard of it," he said this afternoon.

A foreign agent's registration statement is signed under oath. If, on his form, Billy Carter intentionally made a false statement or omitted any "material fact," he could be subject to a maximum penalty of five years in prison and a \$10,000 fine.

False statements made in an interview with Federal investigators are subject to a similar penalty. However, Justice Department officials said that they rarely prosecuted false statements made in an effort to avoid incrimination.

Exact Date Learned Monday

Department officials said they had not known the exact date of the Libyans' first payment to Billy Carter until Monday. In his registration statement, he said that he

received the \$20,000 in January and another \$200,000 in April.

In fact, Mr. Lisker said, the \$20,000 check was dated Dec. 27, 1979, and deposited Dec. 31 in Billy Carter's account at the Columbus Bank and Trust Company in Columbus, Ga. The check for \$200,000 drawn on a Libyan Embassy account at the Riggs National Bank here was dated April 7 and deposited on April 15 in Billy Carter's account at the People's Bank of La Grange, Ga., Mr. Lisker said.

Mr. Lisker disclosed the plans for a further investigation of Billy Carter in an interview this afternoon with several reporters. The Justice Department inquiry is likely to require interrogation of President Carter, his brother and White House aides in the midst of the Presidential election campaign later this year. It could therefore add to the President's political problems, making it unlikely that the controversy over his brother's ties to Libya will end soon.

Billy Carter described the chain of events that led him to become involved with the Libyans in discussions that he had with Mr. Lisker and other Justice Department investigators. Members of Congress who have seen the department files on the discussions, submitted yesterday to several Congressional committees, gave this account of how the relationship developed:

An Atlanta businessman named Mario Leanza, an Italian immigrant, was in Italy in 1978 when he met Michele Papa, an Italian financier who had built a housing project in Libya. Mr. Papa was a friend of the Libyan Ambassador to Italy, Gibrill Shalouf, who had Mr. Papa ask Mr. Leanza to see if Billy Carter could be persuaded to make a trip to Libya.

After he returned to Atlanta, Mr. Leanza contacted Billy Carter, and, later in the year, Mr. Shalouf went to Plains, Ga., to invite him to Libya.

Mr. Lisker said today that in the January interview, Billy Carter said that he had called the White House last year to inquire about C-130 military transport planes wanted by the Libyan Government. Although Billy Carter said that he called Phillip J. Wise, the President's appointments secretary, Mr. Lisker said that he now believed that the call was actually made by Henry Randolph Coleman, a close associate of Billy Carter. Mr. Coleman registered last week as an agent for Libya.